

CORRECTED EXHIBIT 31 TO DOC. 98:

THIAGO MARQUES EXPERT REPORT
(LEAVE TO FILE GRANTED ON 9/27/24)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No.: 1:21-cv-10147-IT

CATHERINE RAWSON, as Personal
Representative of the Estate of Alan Greenough;
and ANTHONY PERROTTI,

Plaintiffs,

v.

THE TOWN OF READING, OFFICER ERIK
DRAUSCHKE, & SERGEANT PATRICK
SILVA,

Defendants.

PLAINTIFFS' EXPERT DISCLOSURE OF THIAGO E. MARQUES

The Plaintiffs' hereby disclose the anticipated expert testimony of *Thiago E. Marques* pursuant to Fed.R.Civ.P. Rule 26(a)(2) by submitting the attached disclosure, supplemental disclosure and exhibits.

Expert Disclosure:	pg. Marques 001
Supplemental Disclosure:	pg. Marques 006
Exhibit A (Photographs from 7.26.19 Visit):	pg. Marques 008
Exhibit B (Photographs from 6.7.21 Visit):	pg. Marques 024
Exhibit C (Relevant Portions of Operator's Manual):	pg. Marques 030
Exhibit D (Receipt for Parts):	pg. Marques 034

Respectfully Submitted,
*The Plaintiffs, Catherine Rawson, as
Personal Representative of the Estate of
Alan Greenough, and Anthony Perrotti,*

By their attorneys,

/s/ Victor Koufman
Victor J. Koufman, BBO #545296
William D. Saltzman BBO #439749
KOUFMAN LAW GROUP, LLC
145 Tremont Street, Fourth Floor
Boston, MA 02111 (617 423 2212)

Dated: 8.30.23

THIAGO E. MARQUES

I was asked to inspect the 2003 Hummer H2 which is shown in the photographs that are being submitted with this report, and to determine whether I could re-attach the interior plastic panel of the front passenger door to the metal frame of the front passenger door of the Hummer so that the interior plastic panel would be in its original and proper position, and when I determined that I could, to go ahead and do so. As part of this process, I visited on July 26, 2019 and again on June 7, 2021, East Coast Gas and Auto Repair at 1462 Main Street in Reading, MA, and considered facts and data as is described below:

QUALIFICATIONS

I have been in the automobile body repair and painting trade for approximately 18 years, which has included significant experience in auto-body painting and the repairs of many brands of cars, including vehicles manufactured by General Motors such as Hummers. As part of this experience, I frequently and regularly remove and then re-install interior plastic door panels in vehicles from and into vehicles' metal door frames.

In or about 2003 to 2004, I was introduced to the auto-body trade when I began working for *Salem Collision* as an assistant around the shop which allowed me to view others performing body work and painting vehicles.

In or about 2004, I began working for *Extreme Collision* as a repair technician, where during the next four years I performed auto-body work, which included learning how to prepare vehicles for painting and then painting them. This most often required the removal of the inside plastic panels of doors by removing hardware that connected the inside panel to the metal frame of the door, unclipping the inside panel of the door from the metal door frame, unplugging electrical wires that ran between the panel and door, and completing the painting of the metal door frame. After completing the paint job, I then re-installed the plastic interior panel by re-attaching the electrical wires, re-inserting the panel, re-using or replacing the hardware to secure the panel to the door, and then re-inserting the panel into the metal frame of the door.

In or about 2009, I accepted a position at *Final Finish Collision Center* as a repair technician and as a full-time painter. During the next 5 years, I was required to prepare vehicles for painting. As part of this process, I would remove interior plastic panels from the metal frames of doors, paint the doors and then re-insert the interior plastic panels into the metal frames of the doors. I repaired and painted numerous brands of vehicles including many Hummers, which required me to remove and then replace the inside plastic panels of doors.

In or about 2014 to 2016, I returned to *Salem Collision* as a supervisor and paint technician. As a full-time body painter, I again regularly removed the inside panel of doors, painted the vehicles, and then re-installed the inside plastic panels into the metal frames of the vehicles.

In or about 2016, *Salem Street Auto Body* hired me as a frame specialist and technician such that I continued to paint cars (including replacing inside plastic panels), but I also began repairing structurally and heavily damaged cars.

From 2018 to the present, *Eagle Auto Body, Inc.* has employed me as a manager. I, therefore, supervise other auto-body workers and painters. In addition, I now appraise or estimate the cost of work required to fully repair a vehicle that has been damaged. Since February of 2019, the Commonwealth of Massachusetts has licensed me to perform these appraisals. As part of my duties, I still remove and re-install inside panels of doors on a daily basis for many different kinds of vehicles.

FACTS OR DATA CONSIDERED IN FORMING OPINIONS

July 26, 2019 Visit

On July 26, 2019, when I arrived at East Coast Gas, I inspected the Hummer and found that the interior plastic panel of the front passenger door was removed from the metal frame of that door. I determined that I could re-insert the interior plastic panel into the metal frame of that door so that the plastic insert would be in its original and proper position. I then re-attached the interior plastic door panel into this metal frame of the door. Attached as **Exhibit A** are Photographs, which are fair and accurate representations of the appearance of the Hummer, the interior plastic panel of the front passenger door, and the metal frame of the front passenger door as I completed this task. The photographs that I refer to by file number (e.g. "DSC __") in this section of this document are included in Exhibit A.

- Photograph **DSC_0121** shows the interior plastic panel of the front passenger door, which was detached from the metal door frame for that door when I first arrived at East Coast Gas. This photograph shows the side of the plastic door panel that faces the metal door frame when this plastic panel is inserted into the metal door frame. In this photograph, I am pointing to black retaining clips. There are also white retaining clips shown in the photograph. When inserting this plastic panel into the metal door frame, these clips are inserted into receptacles in the metal frame of the door, which engage the clips. This causes the inserted retention clip to secure the plastic interior panel to the door, and to align the panel to the metal door frame such that the position of the interior plastic door panel is in its original and proper position.
- Photograph **DSC_0122**, and **DSC_0130** identifies the retention clips that I had to replace, because the original ones were missing or damaged. I designated in these photographs the clips that I replaced by placing a purple sticky adjacent to them. However, the purple sticky that Photograph **DSC_0123** shows does not designate a replaced clip; it is only a note as to what the other purple stickies designate.
- Photograph **DSC_0101** shows as an example a replaced white retention clip.
- Photograph **DSC_0103** shows as an example a replaced black retention clip.
- Photograph **DSC_0133** shows the metal frame of the front passenger door to which I was asked to re-attach the interior plastic door panel. It also shows the white insulation (part of which is missing), and shows around the perimeter of the lower half of the door frame the

holes General Motors created to receive the retention clips when the plastic door panel is inserted into the metal door frame. In addition, this photograph shows the two holes just above the door handle which receive bolts that are also used to secure the interior plastic door panel to this metal door frame. This metal door frame was structurally sound and the holes used to engage the clips and screws were not damaged.

- Photograph **DSC_0146 & 0147** shows me inserting the interior plastic door frame into the metal frame of the front passenger door by aligning and then inserting the retention clips into their receptacles in the metal door frame.
- Photographs **DSC_0149, 0150 & 0152** show that the interior plastic door panel is properly aligned with the metal door frame.
- Photograph **DSC_0160** shows the two holes in a metal portion of the plastic interior door panel in which bolts are placed such that they extend into the threaded holes just above the handle in the metal frame of the door (See **DSC_0133**).
- Photograph **DSC_0162** shows the interior plastic door panel after I reinserted it into the metal frame of the door.

June 7, 2021 Visit

On June 7, 2021, when I arrived at East Coast Gas, I inspected the Hummer including the exterior and interior of the front driver's and passenger's doors. Attached as **Exhibit B** are Photographs, which are fair and accurate representations of the appearance of the Hummer, the interior plastic panel of the front passenger and driver's doors, and the metal frame of the front passenger and driver's doors. Photographs **DSC_0664, 0665 & 0666** in Exhibit B, show me inspecting the fit between the interior plastic panel and the metal frame of the front passenger door. Photographs **DSC_0671 & 0673** in Exhibit B show me inspecting the fit between the interior plastic panel and the metal frame of the front driver's door.

OPINIONS

I am confident to a reasonable degree of certainty that on July 26, 2019, I was able to attach the interior plastic panel of the front passenger door to the metal frame of that door of the Hummer, such that the plastic interior panel was in its original and proper position. I can say with confidence that after I was done installing the plastic panel, this panel was in the same position that it was in when it left the factory. This opinion is based upon my observations of the Hummer at East Coast Gas (including the interior front plastic panel of the passenger's and driver's door, and the metal frame of those doors), the section of the applicable service manual for this Hummer that concerns removing and re-inserting interior plastic door panels (See **Exhibit C**), and my training and experience removing and re-inserting interior plastic panels to the metal frames in doors in many types of vehicles, including Hummers. Following are the reasons that I am confident that I was able to re-insert the interior plastic panel for the front passenger door into the metal frame so this interior panel is in its initial and proper position:

Retaining Clips

I used retaining clips to place the interior plastic door panel in its original position (See **DSC_0101, 0103 & 0121**). These retaining clips extend (a) from certain points in the inner side of the plastic interior door panel, (b) to receptacles in the metal frame of the front passenger door (See **DSC_0122, 0133**). These points in the plastic door panel and receptacles in the metal door frame are aligned, and set by General Motors, so by using these retaining clips and pre-set points and receptacles, I was able to re-attach the interior plastic panel to its original and proper position into the metal frame of the door.

When I re-attached the plastic door panel to the metal frame of the front passenger door, several of the retaining clips were missing or damaged, so I had to replace those clips. I obtained the correct replacement clips from General Motors in accordance with the VIN # of the Hummer (See **Exhibit D**). Also, I know these clips were the correct size because if they were not the correct size, they would not have fit into the plastic panel and the metal frame of the door, and they clearly fit into both of these structures. Any damage to the points in the interior door plastic panel that held the retention clips as well as the wiring in the metal door frame did not interfere in any way with the process of securing the interior plastic panel to the metal door frame, and thus did not alter the position of the interior plastic door panel into the metal door frame.

Bolts & Pre-Set Holes

I also used bolts and pre-set holes in the plastic door panel and the metal frame of the front passenger door to place the plastic door panel into its original and proper position. The door panel is secured to the metal frame with bolts that go through holes in the plastic door panel that extend into threaded holes in the metal door frame. These holes in the plastic door panel (See **DSC_0122 & 0160**) and the threaded holes in the metal door frame (See **DSC_0133**) are aligned and pre-set or created by General Motors. When I re-attached the plastic door panel to the metal frame with these bolts, these holes in the plastic door panel and the metal door frame were not damaged such that I was able to secure the plastic door panel to the metal frame of the door through these pre-set holes. By using these bolts and pre-set holes, I was able to re-attach the panel to its original position.

Confirmation

I confirmed on July 26, 2019 that the plastic interior door panel was in its original position by making sure the outside edge of the plastic door panel was completely in line with the outside edge of the metal frame of the Hummer's front passenger door (**DSC_0149, 0150, 0152 & 0162**).

In addition, during my visit to East Coast Gas on June 7, 2021, I re-inspected the interior plastic door panel to the front passenger door, and confirmed that the panel was still in its correct position. I looked at certain points in the panel to verify those points were in the correct position, and they were in the correct position; there was no wiggle room. It was an exact fit (**DSC_0664, 0665 & 0666**). In addition, I compared the positioning of (a) the interior plastic door panel to the front *driver's* door (See **DSC_0671 & 0673**), to (b) the positioning of the interior plastic door panel to the front *passenger's* door, and they were consistent with each other and both were

consistent with the way they left the factory. It was clear that the interior plastic panel on the front passenger door was installed properly by me during my first visit.

OTHER CASES TESTIFIED IN & COMPENSATION

I have not testified in other cases as an expert at trial or by deposition, and I am to be paid an hourly rate of \$100.

CONCLUSION

By signing this document I am acknowledging that the content of it is to the best of my knowledge, true and accurate.


Thiago E. Marques

Dated: 07-26-2023

Z:\Clients\Rawson\Thiago Marquez\Expert Disclosure_7.23.23.docx

FIRST SUPPLEMENTAL DISCLOSURE BY THIAGO MARQUES

The photographs to which I refer to in the disclosure that I signed on July 26, 2023 are fair and accurate representations of the items shown in the photographs on the date that the photographs were taken. However, the photograph to which I refer on page 3 of my disclosure regarding my visit to East Coast Gas on June 7, 2021 as “DSC_0673” is a typographical error. It should have referred to as image “DSC_0672.”

I sign this supplemental disclosure as well as my July 26, 2023 disclosure under the penalties of perjury this 26th day of August, 2023.

Thiago Marques

Thiago E. Marques

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THIAGO MARQUEZ

EXHIBITS

EXHIBIT A: PHOTOGRAPHS FROM JULY 26, 2019 VISIT TO EAST COAST GAS.

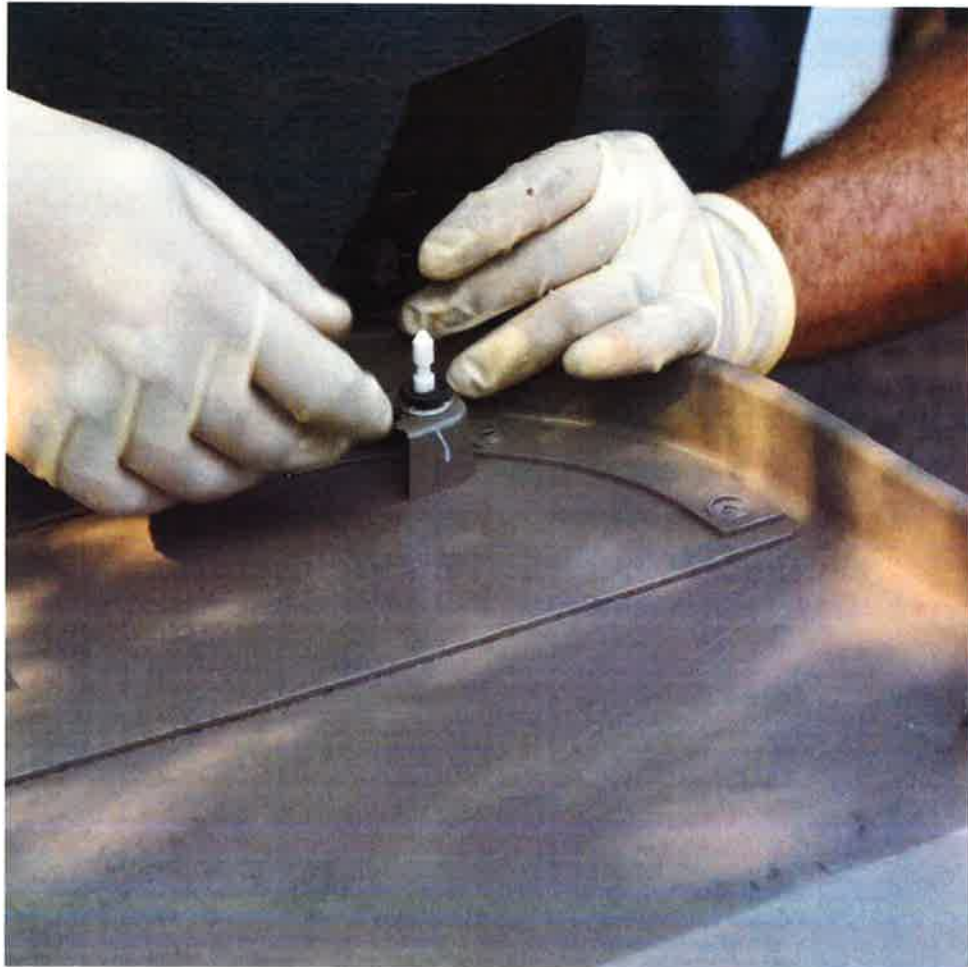
EXHIBIT B: PHOTOGRAPHS FROM JUNE 7 2021 VISIT TO EAST COAST GAS.

EXHIBIT C: RELEVANT PORTION OF OPERATOR'S MANUAL.

EXHIBIT D: RECEIPT FOR PARTS.

EXHIBIT A

DSC_0101



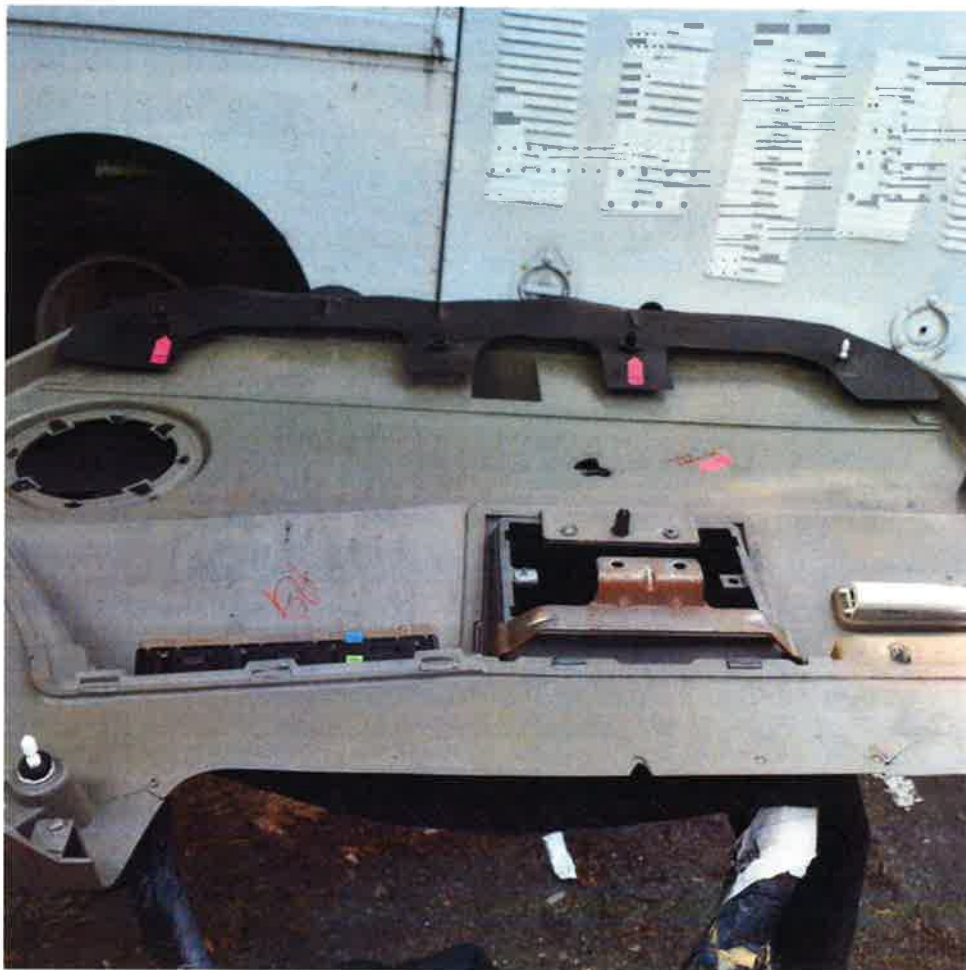
DSC_0103



DSC_0121



DSC_0122



DSC_0123



DSC_0130



DSC_0131



DSC_0133



DSC_0146



Marques_017

DSC_0147



DSC_0149



DSC_0150



DSC_0152



DSC_0160



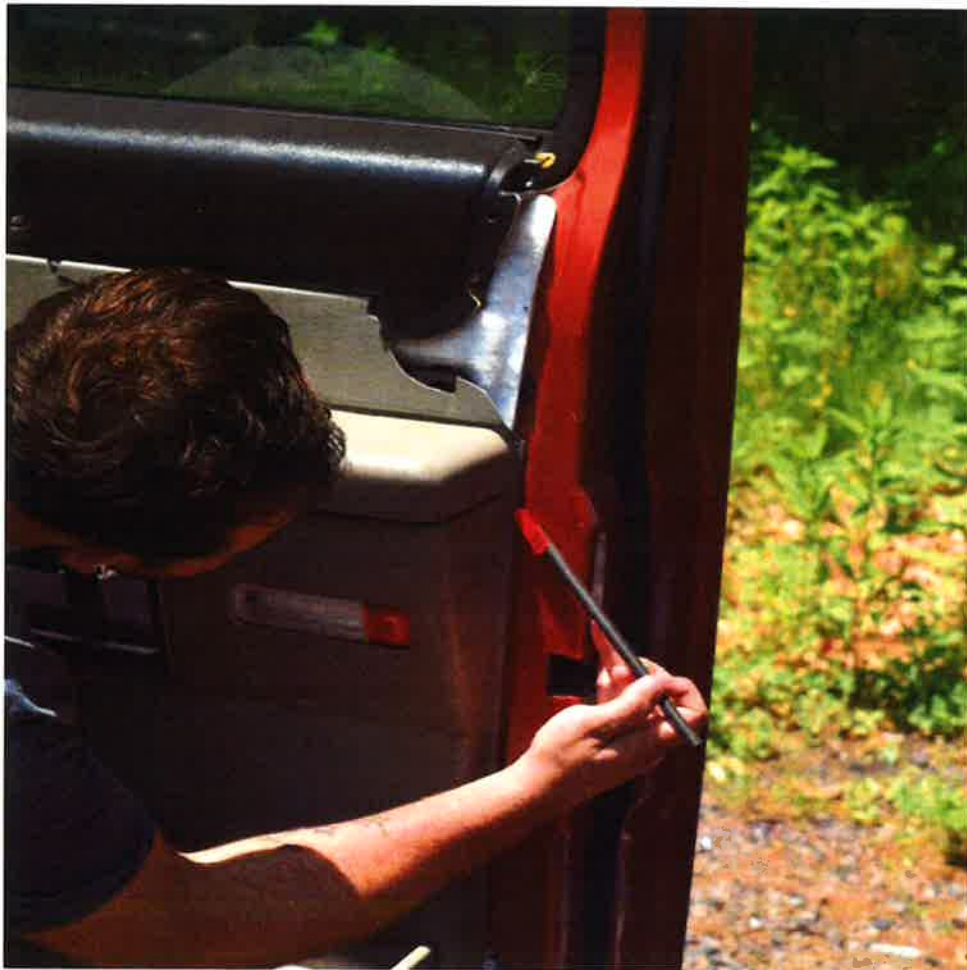
DSC_0162



EXHIBIT B

DSC_0664

6.7.21



DSC_0665

6.7.21



DSC_0666

6.7.21



DSC_0671

6.7.21



DSC_0672

6.7.32



Marques_029

EXHIBIT C

From: acdelcotds@gm.com
Sent: Tuesday, July 23, 2019 10:10 AM
To: info@eagleautobody.net
Subject: Order Receipt - Order Number 422863

ACDelcoTDS www.ACDelcoTDS.com

Sold By: General Motors Company
300 Renaissance Ctr
Detroit, MI 48243

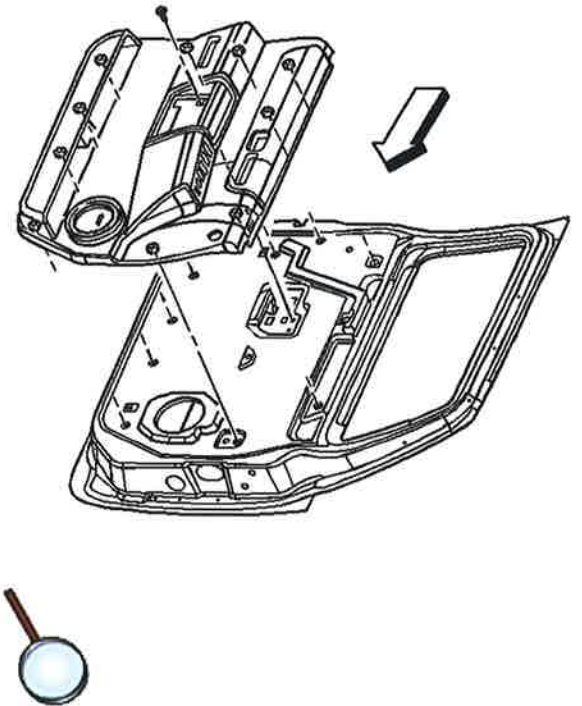
Order Number: 422863
Order Invoice Date: 7/23/19 10:09 AM
Transaction ID: 19072302102813451
Transaction Type: Retail Sale
Authorization Id: 04033J
Credit Card: MASTERCARD Ending with: 7185

Bill To: Eagle Body
126 Main St Unit 10
North Reading, MA 01864-2293

Item Name: General Motors Service Repair Manual Information
Item No.: 1
Price: \$20.00
Tax: \$0.00 USSG2: Standard Seller collected use tax applies because of sale from outside jurisdiction.

Total Tax: \$0.00
Order Total: \$20.00

All currency amounts are in USD
IMPORTANT -- Retain this copy for your records



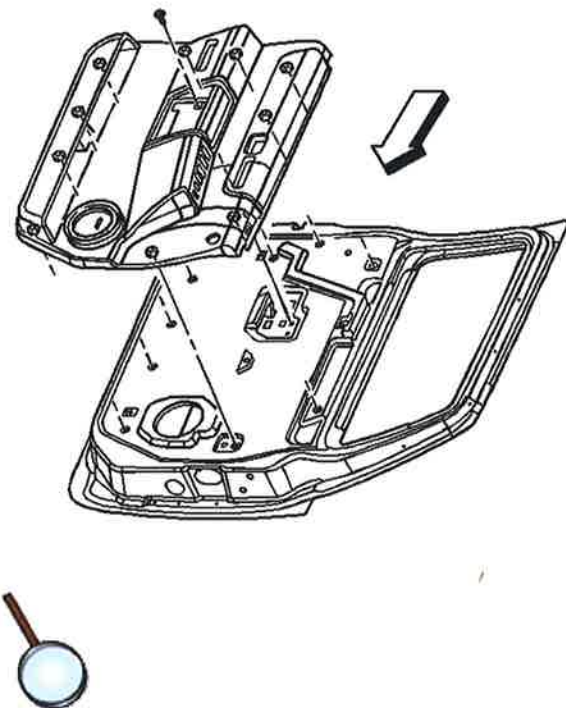
1. Connect the electrical wiring harness connectors.
2. Install the door trim panel to the vehicle.
 - 2.1. Align the door trim panel retaining clips with the openings in the door.
 - 2.2. Push inward on the door trim panel to engage the fasteners.
3. Install the door window switch. Refer to [Door Lock and Side Window Switch Replacement - Driver Side](#) or [Door Lock and Side Window Switch Replacement - Passenger Side](#).
4. Install the door panel retaining screw within the handle bezel opening.
5. Install the door handle bezel. Refer to [Front Side Door Inside Handle Bezel Replacement](#).

Front Side Door Trim Panel Replacement

Tools Required

J 38778 Door Trim Pad Clip Remover

Removal Procedure



1. Remove the door handle bezel. Refer to [Front Side Door Inside Handle Bezel Replacement](#)
2. Remove the door panel retaining screw located in the handle bezel opening.
3. Remove the door window switch. Refer to [Door Lock and Side Window Switch Replacement - Passenger Side](#).
4. Use special tool **J 38778** to release the door trim panel retaining clips.
5. Disconnect the electrical wiring harness connectors.
6. Remove the door trim panel from the vehicle.

Installation Procedure

EXHIBIT D



Liberty Chevrolet

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CUST. NO.	TAX EXEMPT NUMBER	CUST. P. O. NO.	SHIP VIA	PAY	SOLD BY	INVOICE DATE	INVOICE
24199	753183997	VIN#3H148714		PENDING	LEO CLIFFORD	07/25/19	66844 CVW

781-944-0634

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R T OIL COMPANY INC
1462 MAIN STREET
READING, MA 01867

S
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QUANTITY		PART NUMBER / DESCRIPTION	BIN	LIST	NET	AMOUNT
SHIP	B. O.					
5	0	11519032 RETAINER 8.907 N	1202B2	5.98	4.90	24.50
4	0	11589010 BOLT 8.900 Y	SPORD	4.19	3.44	13.76
1	0	11517769 NUT 8.921 Y	SPORD	6.02	4.94	4.94
4	0	11589177 BOLT 8.900 Y	SPORD	5.09	4.17	16.68
2	0	11546868 NUT 8.921 Y	SPORD	1.11	0.91	1.82
TERMS: ALL CHARGE ACCOUNTS ARE DUE ON OR BEFORE 10TH OF MONTH FOLLOWING PURCHASE. ALL RETURNS SUBJECT TO A 20% HANDLING CHARGE. NO RETURNS AFTER 10 DAYS. NO RETURNS ON ELECTRICAL OR SPECIAL ORDER PARTS. AND NO RETURNS ON ITEMS OF \$7.00 OR LESS. NO REFUND WITHOUT THIS INVOICE. A CHECK WILL BE ISSUED FOR ALL CASH CREDITS.						
SUBTOTAL						61.70
TAX						0.00
FREIGHT						0.00
PAY THIS AMOUNT						61.70
X CUSTOMER SIGNATURE						

10:56:49 CUSTOMER COPY

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Marques_055 PAGE 1 OF 1